



General Assembly Security Council

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GENERAL ASSEMBLY
Forty-seventh session
Agenda item 143
THE SITUATION IN BOSNIA
AND HERZEGOVINA

SECURITY COUNCIL
Forty-eighth year

Letter dated 30 December 1992 from the Permanent
Representative of Croatia to the United Nations
addressed to the Secretary-General

Following the adoption of General Assembly resolution 47/121 on 18 December 1992, and especially its provision under paragraph 5, as well as the numerous unfounded attempts to equate the Croatian Defence Council (HVO) forces and the regular army units of the Republic of Croatia, I would like to draw your attention to the statement made by Mr. Mile Akmadzic, Prime Minister of the Republic of Bosnia and Herzegovina, on 24 December 1992.

Prime Minister Akmadzic stated that "the armed forces of the Government of the Republic of Bosnia and Herzegovina and HVO are not two separate armies, but the armed forces of the Government of the Republic of Bosnia and Herzegovina consist of two equal forces - the Bosnia-Herzegovina army and HVO". Mr. Akmadzic stated that "there is cooperation between the HVO units and some neighbouring units of the Croatian army" and "if the HVO asks Croatian army units to help us in some operations, then it means that we really need this help and that the Government of the Republic of Bosnia and Herzegovina, its Presidency and its Assembly agree with this".

Allow me to emphasize that, in accordance with resolution 47/121, if the units of the Croatian army were to be temporarily present in the Republic of Bosnia and Herzegovina, they would be operating in accord with the authority of the Government of the Republic of Bosnia and Herzegovina. This fact, which underlines the spirit of the Agreement on Friendship and Cooperation between the Republic of Bosnia and Herzegovina and the Republic of Croatia (signed in Zagreb on 21 July 1992) and its annex (signed in New York on 23 September 1992), is also confirmed by the highest authorities of the Government of the Republic of Bosnia and Herzegovina. The relationship

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between the Republic of Croatia and the Republic of Bosnia and Herzegovina is founded on the principles of mutual recognition and full respect of independence, sovereignty and territorial integrity of the two Member States of the United Nations.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 143, and of the Security Council.

(Signed) Dr. Mario NOBILO
Ambassador
Permanent Representative



General Assembly Security Council

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GENERAL ASSEMBLY
Forty-seventh session
Agenda item 30
QUESTION OF PALESTINE

SECURITY COUNCIL
Forty-eighth year

Letter dated 31 December 1992 from the Permanent
Representative of Turkey to the United Nations
addressed to the Secretary-General

In my capacity as the representative of the country that is the current Chairman of the Organization of the Islamic Conference (OIC), I have the honour to enclose herewith the text of the statement adopted by the Committee on Palestine of OIC (see annex).

I should appreciate it if you would kindly have the text of the present letter and its annex circulated as an official document of the General Assembly, under agenda item 30, and of the Security Council.

(Signed) Mustafa AKSIN
Ambassador
Permanent Representative

ANNEX

Statement adopted by the Committee on Palestine
of the Organization of the Islamic Conference
on 30 December 1992

The Committee on Palestine of the Organization of the Islamic Conference met in New York on 30 December 1992 to consider the grave and dangerous situation that has ensued as a result of the Israeli Government's illegal mass deportation of over four hundred Palestinian civilians from the occupied Palestinian territory, including Jerusalem, on 17 December 1992. The Committee strongly condemned these deportations, which constitute a grave breach of the Fourth Geneva Convention of 12 August 1949, violate the relevant Security Council resolutions and clearly jeopardize the peace process currently under way.

While welcoming the adoption of Security Council resolution 799 (1992) and appreciating the steps taken by the Secretary-General of the United Nations in this regard, the Committee on Palestine stressed the need for the prompt and full implementation of the resolution to secure the safe and immediate return of all those deported. The Committee also noted that the extreme suffering and the dire conditions of the deportees necessitate that even more rapid action be taken by the international community to implement resolution 799 in order to bring to an end this tragic situation and to prevent any similar illegal action by the Israeli Government in the future.

The Committee on Palestine decided to remain seized of the matter and to closely observe any developments in this regard, including the impending report of the Secretary-General and the subsequent action of the Security Council in response to that report. The Committee also noted, with appreciation, the actions taken by the Secretary-General of the Organization of the Islamic Conference, Dr. Hamid Algabid, in relation to the issue of deportations of the Palestinian civilians.



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Agenda item 19
ADMISSION OF NEW MEMBERS
TO THE UNITED NATIONS

SECURITY COUNCIL
Forty-eighth year

Application of the Czech Republic for admission to
membership in the United Nations

Note by the Secretary-General

In accordance with rule 135 of the rules of procedure of the General Assembly and rule 59 of the provisional rules of procedure of the Security Council, the Secretary-General has the honour to circulate herewith the application of the Czech Republic for admission to membership in the United Nations, contained in a letter dated 4 January 1993 from the Prime Minister of the Czech Republic to the Secretary-General.

ANNEX

Letter dated 4 January 1993 from the Prime Minister of the
Czech Republic to the Secretary-General

In accordance with Article 4 of the Charter of the United Nations and in compliance with rule 58 of the provisional rules of procedure of the Security Council and rule 134 of the rules of procedure of the General Assembly, I have the honour, on behalf of the Czech Republic and in my capacity as Prime Minister of the Czech Republic, to inform you that the Czech Republic herewith applies for membership in the United Nations.

I should accordingly be grateful if you would arrange for this application to be placed before the Security Council and the General Assembly at their next meetings.

As stated in a formal declaration attached to this application, the Czech Republic is willing to accept and carry out the obligations contained in the Charter of the United Nations.

(Signed) Václav KLAUS

Declaration

In connection with the application by the Czech Republic for membership in the United Nations, I have the honour, on behalf of the Czech Republic and in my capacity as Prime Minister of the Czech Republic, to declare that the Czech Republic accepts the obligations contained in the Charter of the United Nations and solemnly undertakes to fulfil them.

(Signed) Václav KLAUS



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GENERAL ASSEMBLY
Forty-seventh session
Agenda item 19
ADMISSION OF NEW MEMBERS
TO THE UNITED NATIONS

SECURITY COUNCIL
Forty-eighth year

Application of the Slovak Republic for admission
to membership in the United Nations

Note by the Secretary-General

In accordance with rule 135 of the rules of procedure of the General Assembly and rule 59 of the provisional rules of procedure of the Security Council, the Secretary-General has the honour to circulate herewith the application of the Slovak Republic for admission to membership in the United Nations, contained in a letter dated 1 January 1993 from the Prime Minister of the Slovak Republic to the Secretary-General.

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ANNEX

Letter dated 1 January 1993 from the Prime Minister of
the Slovak Republic to the Secretary-General

In accordance with Article 4 of the Charter of the United Nations and in compliance with rule 58 of the provisional rules of procedure of the Security Council and rule 134 of the rules of procedure of the General Assembly, I have the honour, on behalf of the Slovak Republic and in my capacity as Prime Minister of the Slovak Republic, to inform you that the Slovak Republic herewith applies for membership in the United Nations.

I should accordingly be grateful if you would arrange for this application to be placed before the Security Council and the General Assembly at their next meetings.

As stated in a formal declaration attached to this application, the Slovak republic is willing to accept and carry out the obligations contained in the Charter of the United Nations.

(Signed) Vladimír MEČIAR

Declaration

In connection with the application by the Slovak Republic for membership in the United Nations, I have the honour, on behalf of the Slovak Republic and in my capacity as Prime Minister of the Slovak Republic, to declare that the Slovak Republic accepts the obligations contained in the Charter of the United Nations and solemnly undertakes to fulfil them.

(Signed) Vladimír MEČIAR
Prime Minister of the Slovak Republic



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GENERAL ASSEMBLY
Forty-seventh session
Agenda item 36

SECURITY COUNCIL
Forty-eighth year

THE SITUATION IN CENTRAL AMERICA:
PROCEDURES FOR THE ESTABLISHMENT
OF A FIRM AND LASTING PEACE AND
PROGRESS IN FASHIONING A REGION
OF PEACE, FREEDOM, DEMOCRACY AND
DEVELOPMENT

Letter dated 30 December 1992 from the Permanent Representatives
of the Russian Federation and the United States of America to
the United Nations addressed to the Secretary-General

We have the honour to send you herewith the text of the joint statement on El Salvador of 28 December 1992 by the Department of State of the United States of America and the Ministry of Foreign Affairs of the Russian Federation (see annex).

We would appreciate the distribution of the texts of the present letter and of the joint statement as an official document of the General Assembly, under agenda item 36, and of the Security Council.

(Signed) Edward J. PERKINS
Ambassador
Permanent Representative of
the United States of America
to the United Nations

(Signed) Yuli M. VORONTSOV
Ambassador
Permanent Representative of
the Russian Federation to
the United Nations

ANNEX

Joint statement on El Salvador issued on 28 December 1992 by the
Ministry of Foreign Affairs of the Russian Federation and the
Department of State of the United States of America

The Russian Federation and the United States of America, whose constructive interaction on Central American issues the last several years has helped defuse tensions in this area, note with great satisfaction that the peace process in El Salvador started at Esquipulas and pursued further within the framework of the Chapultepec Accords has entered a promising new phase.

Russia and the United States applaud the political resolve displayed by the Government of El Salvador and the leadership of the Frente Farabundo Martí para la Liberación Nacional (FMLN), which overcame mutual distrust to implement the main provisions of the Chapultepec Accords. Russia and the United States are grateful for the role played by the United Nations, above all its Secretary-General, and for the support given the peace process by Mexico, Spain, Colombia and Venezuela. The high level of representation at the reconciliation ceremony on 15 December 1992 bears testimony to the intention of the international community to continue its support of the peace process.

As El Salvador moves forward to implement fully the Peace Accords and to realize the full potential of progress to date, Russia and the United States express confidence that the Government of El Salvador and the FMLN will continue their dialogue and cooperation with the United Nations, show restraint, and demonstrate renewed determination to achieve their country's socio-economic reconstruction. They reiterate their readiness to continue to assist in this effort and express hope that other interested States and international and regional organizations will offer their support.



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THE SITUATION IN BOSNIA AND
HERZEGOVINA

SECURITY COUNCIL
Forty-eighth year

Letter dated 6 January 1993 from the Permanent Representative
of Bosnia and Herzegovina to the United Nations addressed to
the Secretary-General

I have the honour to present to you the attached letter, dated
1 January 1993, from Mr. Selim Beslagic, Mayor of Tuzla, Republic of Bosnia
and Herzegovina (see annex).

I should be grateful if you would have the text of the present letter and
its annex circulated as a document of the General Assembly, under agenda
item 143, and of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and Permanent Representative

ANNEX

Letter dated 1 January 1993 from the Mayor of Tuzla, Republic
of Bosnia and Herzegovina, to the Secretary-General

A few days ago soldiers of the Yugoslav Peoples Army (JNA) and paramilitary troops of the Serbian Democratic Party (SDS) fired two "surface to surface" R-65 Luna missiles at civilian targets in Gradacac. The attacks on Gradacac civilians are the most recent examples of a sustained aggression which has seen thousands of missiles almost completely destroy this ancient Bosnian town.

Currently, R-65 Luna missiles and other weapons of mass destruction, forbidden by international conventions and previously aimed at Orasje, Tesanj and Jajce, are being redeployed by Karadzic forces and threatening other towns in north-eastern Bosnia.

It is for this reason, as Mayor of Tuzla, that I feel compelled to address you directly and inform you of the bestiality of the aggressor's crimes and of the monstrosity of its further designs.

Since the beginning of the war, members of JNA and Karadzic paramilitary forces have murdered and slaughtered over 150,000 people and raped more than 30,000 women and girls, while a great many more of our civilians are exposed to outrageous torture in numerous concentration camps. With reinforcements being constantly re-supplied from Serbia and Montenegro, Romania and Russia, the aggressor intends to destroy everything that resembles civilization and exterminate Muslims and Croats in Bosnia and Herzegovina.

WHAT HAS BEEN DONE TO PREVENT THIS?

Regrettably, all actions aimed at stopping the bloody-minded aggression against Bosnia and Herzegovina have failed. In the meantime, pleas for resolute action to stop ongoing atrocities, which are the very nature of the aggression against Bosnia and Herzegovina, have fallen on deaf ears.

The United Nations Protection Force (UNPROFOR) continues to have its deliveries of humanitarian aid rendered inefficient by attacks and other means of obstruction coming from Serbian and Montenegrin forces. UNPROFOR's few successful attempts have been facilitated by forces of the Territorial Defense of Bosnia and Herzegovina, which have built and protected many of the roads that are used for humanitarian deliveries.

In light of the failure of current policy and the insincerity in Serbian and Montenegrin negotiations manifested in disregarded resolutions and agreements, one must ask the following questions:

/...

(a) Why does the agreement to remove heavy artillery and end the sieges of Sarajevo, Gorazde, Mostar and Bihac remain unmet?

(b) Why does the promise to provide safe humanitarian corridors, such as the Ploce-Mostar-Sarajevo-Tuzla corridor, remain unkept?

(c) Why do UNPROFOR forces continue to be rendered as hostages by Serbian and Montenegrin forces while citizens of Sarajevo, Gorazde, Srebrenica and Zepa starve, especially after so many humanitarian aid flights have been stopped, some with a single bullet?

(d) Why is the enforcement of the "no-fly zone" discouraged while civilians throughout Bosnia and Herzegovina continue to be killed by cassette, napalm and cluster bombs?

(e) Why have General Morillon and General Nambiar made statements equating the victim with the aggressor?

(f) Why are these statements accepted and espoused by the Steering Committee of the Geneva Peace Conference?

(g) Why is the creation of "safe havens" proposed without proposing a solution to stop the aggression against Bosnia and Herzegovina?

(h) Is the Steering Committee of the Geneva Peace Conference aware that Bosnian and Herzegovine Muslims are in jeopardy of becoming Europe's Palestinians?

(i) Why are Karadzic and Milosovic allowed to continue to use internationally sponsored negotiations to buy time to achieve the goals of their criminal aggression?

(j) Why does current policy continue to focus on the consequences of the aggression instead of the causes: Serbian and Montenegrin ethnic cleansing?

(k) Why are Bosnians and Herzegovines not allowed to defend themselves against Serbian and Montenegrin aggression when the international community will not defend them?

(l) Why will it not be admitted that action taken thus far by the international community has not put a stop to Serbian and Montenegrin aggression against Bosnia and Herzegovina?

I believe that the answers to these questions deserve to be made public.

I implore you to make possible the following:

(a) Delivery of humanitarian aid to 80,000 people in the regions of Cerska, Konjevic Polje and Kamenica who are dying daily from hunger and cold. It should also be advised that the populations of the liberated territories of Bratunac, Vlasenica and Zvornik have not received any humanitarian aid.

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(b) Delivery of humanitarian aid to the civilians of Zepa, who have lived under siege for months and continue to be vulnerable to the heavy artillery of JNA and Karadzic paramilitary forces.

(c) The prevention of further destruction and civilian deaths in the towns of Gradacac, Tesanj, Maglaj, Olovo, Srebrenica and Brcko.

(d) Emancipation of 4,000 civilians still exposed to torture and murder in concentration camps operated in north-eastern Bosnia by Serbian and Montenegrin forces.

The situation is not beyond solution, and it is not too late to stop the aggression against Bosnia and Herzegovina. However, if resolute action is not taken, inaction will be responsible for the loss of a great many more lives and a conflagration that will spread to other parts of Europe and beyond.

Furthermore, it is our hope that there will be an end to the aggression, ethnic cleansing, and mass murder against the people of Bosnia and Herzegovina that is being employed by fascist forces directed and supplied from Belgrade.

(Signed) Selim BESLAGIC
Mayor



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Forty-seventh session
Agenda items 30 and 74

QUESTION OF PALESTINE

REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER
ARABS OF THE OCCUPIED TERRITORIES

Letter dated 6 January 1993 from the Chargé d'affaires a.i.
of the Permanent Mission of the Libyan Arab Jamahiriya to
the United Nations addressed to the Secretary-General

In my capacity as Chairman of the Group of Arab States for the month of January 1993, I have the honour to transmit herewith the text of a statement issued by the Group of Arab States concerning the grave situation created by Israel's deportation of more than 400 Palestinian civilians from the occupied Palestinian territory, including Jerusalem (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under agenda items 30 and 74.

(Signed) Ibrahim Abdelaziz OMAR
Chargé d'affaires a.i. of the
Permanent Mission of the Libyan Arab
Jamahiriya and Chairman of the Group
of Arab States

ANNEX

Statement issued by the Group of Arab States

The Group of Arab States in the United Nations met on 5 January 1993 to consider the grave situation resulting from Israel's deportation to Lebanon against the latter's wishes, of more than 400 Palestinian civilians from the occupied Palestinian territory, including Jerusalem. The Group also considered Israel's persistent refusal to implement Security Council resolution 799 (1992), which demands that Israel, the occupying Power, ensure the safe and immediate return to the occupied territories of all those deported. This refusal was communicated to the Secretary-General's representative during the visit which the latter made to the area in pursuance of the Security Council resolution in question.

The Group of Arab States reiterates its strong condemnation of this action by Israel, which constitutes a flagrant violation of the fourth Geneva Convention of 1949, the principles of international law, the sovereignty of Lebanon and human rights standards. This action is also contrary to the resolutions adopted by the Security Council and the General Assembly concerning Israeli policies and practices in the occupied territories.

The Group of Arab States welcomes Security Council resolution 799 (1992) and expresses its approval of and support for the measures taken by the Secretary-General of the United Nations, Mr. Boutros Boutros-Ghali, with the aim of enforcing that resolution, in particular the position he expressed in his letter of 3 January 1993 to the President of the Security Council, in which he informed the latter of his decision to send a second mission to the area.

While reaffirming that full implementation of resolution 799 (1992) is the only way to solve the problem, in the event that Israel persists in its refusal to comply with the resolution, the Group of Arab States calls upon the Security Council to take strong action for its full enforcement by speedily adopting a new resolution under Chapter VII of the Charter.

Such a course of action would help to ensure the continuation of the peace process, preserve the prestige and credibility of the Security Council, which would thus have assumed its responsibilities for the maintenance of international peace and security, and guarantee respect for international law and international agreements by all, without exception.



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GENERAL ASSEMBLY
Forty-seventh session
Agenda item 45
QUESTION OF CYPRUS

SECURITY COUNCIL
Forty-eighth year

Letter dated 6 January 1993 from the Chargé d'affaires a.i.
of the Permanent Mission of Cyprus to the United Nations
addressed to the Secretary-General

Further to our letter of 15 October 1992 concerning the resolution adopted by the Parliamentary Assembly of the Council of Europe on 7 October 1992 on the demographic structure of the Cypriot communities (A/47/536-S/24667, annex), I have the honour to forward herewith a copy of an article by a Turkish Cypriot, Mr. Kutlu Adali, published in the Turkish Cypriot newspaper Geni Düzen on 3 December 1992 (see annex), in which Mr. Adali very aptly portrays the issue of the implantation of Turkish settlers in the occupied area of Cyprus.

The said article is of particular importance bearing in mind that Mr. Adali had headed the so-called "Department of Registrations" in the occupied area of Cyprus which dealt with the registration of the settlers. It contains enlightening information on the Turkish policy of altering the demographic structure of Cyprus through the implantation of settlers and gives a clear picture of the ramifications and consequences of this policy on the entire population of Cyprus, Greek Cypriots and Turkish Cypriots alike, and on the prospects for the solution of the Cyprus problem.

I should be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 45, and of the Security Council.

(Signed) P. EFTYCHIOU
Chargé d'affaires a.i.
Permanent Mission of the Republic
of Cyprus to the United Nations

ANNEX

Article entitled "Even If 180 Years Pass" by Kutlu Adali,
published in the Turkish Cypriot newspaper "Geni Duzen"
on 3 December 1992

Why are they afraid of holding a population census? Because, if there is a population census the real number of the Turks who have been brought over from Turkey and given citizenship, and who voted for Denktash and the NUP to continue the non-solution here, will be known. In short it will be revealed why the opposition remains always in the opposition and never becomes a government, and why our democracy is always under a mortgage. It will become clear on whom Denktash relies when he asks for the holding of a referendum.

It will be revealed with whose support referenda are won.

Denktash's and the NUP's weakest point is the population census and property count, especially if this census will be held under United Nations auspices. This will be Denktash's and the NUP's bankruptcy. For this reason the application of paragraph 8 (g) of the United Nations resolution regarding the population census will have the sense of: "Choose your own mode of death" for Denktash and the NUP, so it will never be applied.

The transfer of population from Turkey which started after 20 July 1974, and in particular in the spring of 1975, and which continues unabated until today has no doubt affected the demographic structure of Cyprus. One can always argue the positive and negative sides of this action. Should this have been done or should it not have been done? Anyway it has been done. What should not have been done was to intervene through voting, in deciding our democracy and fate. The bad politicians who have lost the Turkish Cypriots' trust went to the tens of thousands of settlers arrived from Turkey to secure their votes. They (the politicians) told these people: for God's sake save us and we shall give you the properties left by the Greek Cypriots. And once Ankara opened its purse, the demographic structure of the island was destroyed in such a way that the Turkish Cypriots have become a minority. Now, to sit down after 18 years and bargain about these people's future is tragic, regrettable and against human rights. The wrong step was taken in 1975 and it has continued for years. A deaf ear was turned to those who called a halt to this population transfer. They were told to mind their own business and that "this is our domestic affair". Now we see that the United Nations Security Council comes and says "this issue interests us". And it demands the holding of a population census under its control and observation because the real owners of houses, lands and orchards say "we hold the title deeds of our properties and we want them back". The international agreements justify their demands. No one can take the property of another person by force or war or through military operations. No one can consider the title deeds that these people hold null and void. Denktash and the NUP, having Ankara behind them, thoughtlessly in a very fanatical manner did everything that should not have been done. They messed up everything. They have created a mess in Cyprus, an impasse, which it is impossible to come out of, so for this reason, they come

/...

up and say that non-solution is a solution. Because they turned everything upside down. At this stage their resignation or non-resignation is also a problem. But they are trying to do something, as they always do behind closed doors, to shift the blame on Ankara's shoulders. And while doing this they will start to shout: "They are selling out Cyprus which we had shed martyrs' blood to take to the gavurs (infidels)". If you have an indecisive prime minister like Demirel who hangs on Denktash's lips, the non-solution could lead to catastrophe as well! In front of me I have a Cyprus map. As I am writing I am looking at it and thinking I take up the most distant village Rizokarpasso. In 1974 it was one of the biggest Greek Cypriot villages in Cyprus. In 18 years' time the Greek Cypriots melted away like a candle and the Turks multiplied like an avalanche. The Greek Cypriot-owned houses, lands, trees and orchards were given to the Turks that came from Turkey. In the village there were a number of churches but no mosque and minaret. Now, at the centre of the village, in its most prominent place, next to the church a mosque and minaret were built. That is, in 18 years' time Rizokarpasso has changed its identity. Parallel to Rizokarpasso, the other Greek Cypriot villages also experienced this change. Yiallousa has not only become Erenkoy but was turned into Tylliria. Ayia Trias has not only become Sipahi but was Turkified as well, Melanarga has become Adacay, Vahilakos Derince, Lythrangomi Boltasle, Vassili Gelincik, Leonarisso Ziyamet, Kilanemos Esenkoy, Koma tou Yialou Kumyali, Tavros Pamuklu, Voukolida Bafra, Ayios Theodoros Cayirova, Patriki Tuzluca, Gastiriya Kalecik and they were settled completely with Turks from Turkey. This picture is the same in Kyrenia, on Pendadaktylos, in Mesaoria, along the old-Famagusta road and the Morphou and Lefka region. Everything is planned or not planned in such a way that the Greek Cypriots will definitely not return to these villages. But now when the territorial concession, the census, the three freedoms - freedom of movement, settlement and the right to property - have been seriously mentioned in the United Nations resolutions, the Turkish side has started to worry and express concern. Again, the people should not be blamed for this. It is the leadership that should be blamed, for it is the leadership that has committed innumerable mistakes, and with these mistakes they have caused the people to suffer, as well as torpedoed a peaceful solution. And when they are unable to come out from under the ruins that they have created, they try to bully the Greek Cypriots and the world by talking about a war. Unless an agreement based on justice, right and peace is signed, even if 180 years and not 18 elapse, if small concessions are magnified, and statements such as "I am not giving anything, come and take it" continue, nobody should doubt it, it is all inserted in the annals of history. We have given back as we have taken, we have left as we have entered.

For the last 150-200 years we have continued to experience this suffering. Not only are we suffering but we are causing others to suffer as well. Why do people not take lessons from history and make people suffer with mean demands and drag people to disasters? If war was greater than peace it should not run after peace. People should not consider the past years and say that the problem has been solved. If this was the case, there should not be independent States in the occupied territories after 500 or a thousand years.



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Agenda items 30 and 35
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-eighth year

Letter dated 7 January 1993 from the Permanent Representative
of Indonesia to the United Nations addressed to the
Secretary-General

I have the honour, as Chairman of the Coordinating Bureau of the Non-Aligned Movement, to enclose herewith the text of a statement of the Committee on Palestine of the Movement of Non-Aligned Countries on the deportation of Palestinian civilians from the occupied Palestinian territory, including Jerusalem, adopted by the Committee on 6 January 1993 (see annex).

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under agenda items 30 and 35, and of the Security Council.

(Signed) Nugroho WISNUMURTI
Ambassador
Permanent Representative

ANNEX

Statement adopted on 6 January 1993 by the Committee on Palestine of the Movement of Non-Aligned Countries on the deportation of Palestinian civilians from the occupied Palestinian territory, including Jerusalem

The Committee on Palestine of the Non-Aligned Movement met in New York on 6 January 1993 to consider the dangerous situation that has developed as a result of Israel's mass deportation, on 17 December 1992, of over four hundred Palestinian civilians from the occupied Palestinian territory, including Jerusalem, and as a result of the Israeli government's failure to implement Security Council resolution 799 (1992). The Committee strongly condemned the deportations, which constitute a grave breach of the Fourth Geneva Convention of 12 August 1949. Such actions also undermine the peace process currently underway.

The Committee on Palestine expressed appreciation for the adoption of resolution 799 and support for the continuing efforts of the Secretary-General of the United Nations in this regard. The Committee welcomed the Secretary-General's letter to the President of the Security Council dated 3 January 1993 and agreed fully with his observations, especially with regard to possible further steps to be taken by the Security Council. The Committee condemned the Israeli government for its failure to comply with resolution 799, which demanded that Israel, the occupying Power, ensure the safe and immediate return to the occupied territories of all those deported. The Committee observed that in view of the extreme suffering and harsh conditions of the deportees, urgent action should be taken by the international community to implement resolution 799, and thereby bring to an end this unconscionable situation.

The Committee decided to remain seized of the matter and to closely follow any developments in this regard, including the impending report of the Secretary-General and subsequent actions by the Security Council. The Committee recalled the obligations of member states, under Article 25 of the United Nations Charter, and called for action by the Security Council, under Chapter VII of the Charter, invoking articles 39 and 41, in order to compel the Israeli government to ensure the immediate and safe return of all Palestinian deportees and to desist from repeating such illegal acts in the future.



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QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
UNITED NATIONS RELIEF AND WORKS
AGENCY FOR PALESTINE REFUGEES
IN THE NEAR EAST
REPORT OF THE SPECIAL COMMITTEE TO
INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF
THE PALESTINIAN PEOPLE AND OTHER
ARABS OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Forty-eighth year

Letter dated 8 January 1993 from the Permanent Observer of
Palestine to the United Nations addressed to the
Secretary-General

I have the honour to enclose herewith a memorandum on the deportations by Israel, the occupying Power, of Palestinian civilians from the occupied Palestinian territory, including Jerusalem (see annex). The memorandum covers the more recent mass deportation by the Government of Israel of more than 400 Palestinian civilians, on 17 December 1992, as well as background information on the subject as a whole. It also includes our own conclusions with regard to the subject.

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as an official document of the General Assembly, under agenda items 30, 35, 73, and 74, and of the Security Council.

(Signed) Dr. Nasser AL-KIDWA
Permanent Observer of
Palestine to the
United Nations

ANNEX

Memorandum on the deportations by Israel, the occupying Power,
of Palestinian civilians from the occupied Palestinian
territory, including Jerusalem

1. The Israeli Government's mass deportation of more than
400 Palestinian civilians on 17 December 1992

- On 16 December 1992, the Israeli Government took the unprecedented step of ordering the summary deportation of 418 Palestinian civilians from the occupied Palestinian territory. The Israeli authorities placed those Palestinians, blindfolded and bound, in buses and drove them to Israel's northern border.

- Upon the leakage of information on the deportation, human rights activists, including lawyers, petitioned the Israeli Supreme Court for a restraining order. The Court granted the stay order and convened to discuss the appeal. After 15 hours, it allowed the deportation orders to proceed.

- Meanwhile, the Israeli authorities returned a number of Palestinian civilians from the buses and several others were brought by helicopter to join the deportees. After an overnight stay in the buses, 415 were driven, on 17 December 1992, into South Lebanon across the so-called security zone, and were dumped in the freezing winter weather in a mountainous area between the Israeli/So-Called South Lebanon Army checkpoint and the Lebanese army checkpoint.

- Israel refused to release the names of the deportees, and did not notify their families of the measures taken. In addition, no individual charges for any criminal act had been made against those deported, and none of them received a copy of their deportation orders. (After approximately two weeks, the Israeli authorities announced that they had made a mistake with regard to at least 10 of the deportees.)

- On 18 December 1992, the Security Council unanimously adopted resolution 799 (1992), in which the Council, strongly condemned the action taken by Israel and demanded "that Israel, the occupying Power, ensure the safe and immediate return to the occupied territories of all those deported". The Council also requested the Secretary-General "to consider dispatching a representative to the area to follow up with the Israeli Government with regard to this serious situation and to report to the Security Council".

- The deportees tried to go back, on foot, along the same route that they were brought, but they were prevented from doing so due to shooting and shelling directed at them by the Israeli army. Such shelling was repeated several times at later dates.

- In the meantime, the Lebanese Government, on the grounds that the deportations carried out by Israel violated the sovereignty and territorial integrity of Lebanon, and that those deportees had been illegally brought onto Lebanese territory, refused to accept the deportees and refused to allow assistance to them, as they are solely the responsibility of the Israeli Government. It is worth mentioning that Security Council resolution 799 (1992) reaffirmed "the independence, sovereignty and territorial integrity of Lebanon".

- The Secretary-General, in response to the request made by the Council, dispatched Mr. James Jonah, Under-Secretary-General for Political Affairs, to the region from 27 to 30 December 1992. He met with Israeli officials, and he also met with Lebanese officials when he went to Lebanon.

- The actual situation of the deportees has been deteriorating due to the harshness of weather and a lack of all essentials, including water, medicine and foodstuffs. A number of them have become sick and several have been injured. Meanwhile, the Israeli Government rejected a formal request by the International Committee of the Red Cross to provide the deportees with the essential materials through Israel's borders.

- In a letter, dated 3 January 1993, the Secretary-General of the United Nations informed the President of the Security Council that "the mission of Mr. Jonah was unsuccessful". The Secretary-General stated, "From all that I have heard, I believe this is attributable primarily to Israel's unwillingness to comply with resolution 799". The Secretary-General also informed the Council that he decided to dispatch to the region a second mission, to be led by his special political advisor and representative to the multilateral peace talks on the Middle East, Mr. Chinmaya Gharekhan. The Secretary-General expressed his earnest hope that "the Israeli authorities will recognize the need to comply with resolution 799", however, he stated, "should this not be the case, I may have to recommend in my report that the Council consider taking further steps to ensure that its decision is respected".

At the United Nations, several committees and groups, such as the Committee on Palestine of the OIC, the Committee on Palestine of NAM, the Arab Group, and the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People; issued strongly worded statements on the matter. All of those statements called for decisive actions by the Security Council to guarantee full implementation of resolution 799 (1992). Some called for a new resolution under Chapter VII of the United Nations Charter.

2. Background information on deportations

- Israel, the occupying Power, has deported approximately 2,500 Palestinian civilians since 1967. Its latest action in this regard, the deportation of more than 400 Palestinians, on 17 December 1992, constituted mass deportation.

Security Council resolutions on deportation:

- The United Nations Security Council adopted 11 resolutions specifically on the issue of deportation. These resolutions are 468 (1980), 469 (1980), 484 (1980), 607 (1988), 608 (1988), 636 (1989), 641 (1989), 694 (1991), 726 (1992) and 799 (1992), in addition to resolution 681 (1990) which contained a paragraph on deportation. [In addition, there are a vast number of General Assembly resolutions, as well as resolutions of other organs of the United Nations, on the subject.]

- All of those resolutions condemned or deplored Israeli deportation policies and actions, and requested, in a variety of forms, that Israel, the occupying Power, guarantee the safe and immediate return of the deportees and desist from taking such actions.

- All of those resolutions, in addition to numerous other Security Council resolutions affirmed the applicability of the Fourth Geneva Convention of 1949 to the occupied Palestinian territories, including Jerusalem, which considers deportation to be illegal. Resolution 681 urged the Government of Israel "to accept the de jure applicability of the Fourth Geneva Convention of 1949 to all the territories occupied by Israel since 1967, and to abide scrupulously by the provisions of the said Convention". To date, however, none of these resolutions have been heeded by the Israeli Government.

Deportation and international law:

- International law subjects the Israeli occupation of Gaza, the West Bank and East Jerusalem to the provisions of the Fourth Geneva Convention of 1949 Relative to the Protection of Civilian Persons in Time of War.

- Article 49 of this Convention declares "individual or mass forcible transfers, as well as deportations of protected persons, from occupied territory to the territory of the occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive".

- According to the authoritative commentary, done by the International Committee of the Red Cross, on the Convention; this prohibition is "absolute and allows no exceptions". Several other statements of the Red Cross put forth the same position.

- Article 147 of the Convention considers "unlawful deportations" as a grave breach of the Convention. Article 146 of the Convention places specific duties upon the High Contracting Parties to repress grave breaches by seeking out and prosecuting the perpetrators.

- Article 1 of the Convention makes it the obligation of the High Contracting Parties "to respect and to ensure respect for the present Convention in all circumstances".

- In brief, according to the Fourth Geneva Convention, deportation is not only illegal but also constitutes a grave breach of the Convention. Grave breaches of the Geneva Convention amount to war crimes. (The 1945 Charter of the International Military Tribunal at Nuremberg defined deportation as a war crime and a crime against humanity.)

Deportation and domestic law:

- Israel invokes Article 108 of the British Defense (Emergency) Regulations of 1945 as the basis for its deportation orders. However, these regulations were in fact revoked by the British Government on the eve of the termination of the British Mandate in May 1948 and therefore, the Israeli Government, in terms of domestic law, is acting without legal basis in deporting Palestinian protected persons.

- Israel started to provide, during the 1970s, very inadequate legal review of deportation orders, which became possible only after more than a thousand Palestinians had already been deported without any form of due process. According to these procedures, a person can appeal a deportation order to a military advisory committee. If the order is confirmed by the committee, the person may petition the Israeli Supreme Court sitting as a High Court of Justice. The procedures are based solely on classified information, which is neither released to the deportee nor to his lawyer. The Israeli court has never revoked a deportation order.

- On 16 December 1992, even the above-mentioned procedures were abolished by a decision of the Government, the text of which was not published. In addition, the nature of the recent mass deportation ended another Israeli argument, which attempted, in the past, to differentiate between "accepted" individual and selected deportation as opposed to "prohibited" mass deportation.

- Ultimately, deportations are administrative orders taken by military commanders and not by any judicial authority, and not pursuant to a procedure which can be measured against due process criteria. They are extrajudicial punishments in the extreme.

3. Conclusions

- Deportation is illegal under international law and constitutes a grave breach of the Fourth Geneva Convention of 1949. It is being carried out without legal basis in terms of domestic law. Deportation also violates numerous Security Council resolutions and represents fundamental disregard of the Universal Declaration of Human Rights and all other human rights instruments and standards. The concept of deportation is parallel to the concept of "transfer" and other racist ideas and theories, such as ethnic cleansing.

- The deportation which took place on 17 December 1992, constitutes, in addition to the above, a form of collective punishment. It has had a detrimental effect on the peace process currently under way, under the co-sponsorship of the United States of America and the Russian Federation. It is inconceivable for the peace process to continue and succeed as long as this situation is not brought to an end.

- The international community, and specifically the Security Council, is duty-bound to compel Israel, a member of the United Nations, to abide by its obligations under Article 25 of the United Nations Charter and to guarantee respect of international law, especially the Fourth Geneva Convention. It is our firm belief that the Security Council has to proceed to adopt a new resolution under Chapter VII of the United Nations Charter to ensure that Israel will accept and carry out previous relative resolutions, especially resolution 799 (1992), which demanded the safe and immediate return of all those deported, and we call upon the Council to do so.



General Assembly Security Council

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11 January 1993

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GENERAL ASSEMBLY
Forty-seventh session
Agenda item 143
THE SITUATION IN BOSNIA
AND HERZEGOVINA

SECURITY COUNCIL
Forty-eighth year

Letter dated 8 January 1993 from the Permanent Representative
of Bosnia and Herzegovina to the United Nations addressed to
the Secretary-General

Mr. Hakiya Turajlic, Deputy Prime Minister for Economic Affairs of the Republic of Bosnia and Herzegovina, was murdered today by Serbian extremists while he was under the protection of the United Nations Protection Force (UNPROFOR). Mr. Turajlic was returning from Butmir airport in an UNPROFOR vehicle escorted by other UNPROFOR vehicles on a United Nations controlled road. The UNPROFOR convoy was blocked by two tanks belonging to aggressor forces, and Mr. Turajlic was shot eight times while sitting in the vehicle.

It is my understanding that UNPROFOR was not to stop under any circumstances or to open their vehicles for inspection by aggressor forces. The astonishing circumstances of Mr. Turajlic's murder require a full explanation of the conduct of UNPROFOR at the time of the murder. Please accept this letter as a demand for such an explanation.

May I ask for your kind assistance in circulating the present letter as a document of the General Assembly, under agenda item 143, and of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and Permanent Representative



General Assembly

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11 January 1993

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Forty-seventh session

REQUEST FOR THE INCLUSION OF ADDITIONAL SUB-ITEMS IN THE
AGENDA OF THE FORTY-SEVENTH SESSION

ELECTIONS TO FILL VACANCIES IN SUBSIDIARY ORGANS: ELECTION
OF A MEMBER OF THE GOVERNING COUNCIL OF THE UNITED NATIONS
ENVIRONMENT PROGRAMME; ELECTION OF A MEMBER OF THE UNITED
NATIONS COMMISSION ON INTERNATIONAL TRADE LAW

Note by the Secretary-General

By a letter dated 10 December 1992 (A/47/774), the Permanent Representative of the former Czech and Slovak Federal Republic to the United Nations informed the Secretary-General that the former Czech and Slovak Federal Republic would cease to exist on 31 December 1992.

In consequence, the seats that had been occupied by the former Czech and Slovak Federal Republic in the Governing Council of the United Nations Environment Programme and the United Nations Commission on International Trade Law became vacant as at 1 January 1993.

The General Assembly will therefore be required at its forty-seventh session to elect a member of the Governing Council of the United Nations Environment Programme for the unexpired portion of the term of office of the former Czech and Slovak Federal Republic, that is until 31 December 1995, as well as to elect a member of the United Nations Commission on International Trade Law for the unexpired portion of the term of office of the former Czech and Slovak Federal Republic, that is until the day prior to the beginning of the thirty-first session of the Commission in 1998.

Accordingly, it will be necessary to include in the agenda of the forty-seventh session under item 16, entitled "Elections to fill vacancies in subsidiary organs", two additional sub-items entitled "Election of a member of the Governing Council of the United Nations Environment Programme" and "Election of a member of the United Nations Commission on International Trade Law", respectively.



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11 January 1993

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Forty-seventh session
Agenda item 8

ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK

Note by the Secretary-General

By a letter dated 10 December 1992 (A/47/774), the Permanent Representative of the former Czech and Slovak Federal Republic to the United Nations informed the Secretary-General that the former Czech and Slovak Federal Republic would cease to exist on 31 December 1992.

In consequence, the seats that had been occupied by the former Czech and Slovak Federal Republic in the following subsidiary organs of the General Assembly became vacant as at 1 January 1993:

Committee on Information

Committee on the Peaceful Uses of Outer Space

Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

United Nations Scientific Committee on the Effects of Atomic Radiation

In the case of the Committee on Information and the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, their members are appointed by the President of the General Assembly (General Assembly resolutions 33/115 C of 18 December 1978 and 3349 (XXIX) of 17 December 1974, respectively).

In the case of the Committee on the Peaceful Uses of Outer Space and the United Nations Scientific Committee on the Effects of Atomic Radiation, their members are appointed by the General Assembly (General Assembly resolutions 1472 A (XIV) of 12 December 1959 and 913 (X) of 3 December 1955, respectively).

In the case of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, its members are nominated by the President of the General Assembly (General Assembly resolution 1654 (XVI) of 27 November 1961).

Accordingly, in order for these vacancies to be filled, it will be necessary to re-open agenda items 18, 71, 72, 76 and 133.

In accordance with established practice, the General Assembly may wish to consider these items directly in plenary meeting.



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GENERAL ASSEMBLY
Forty-seventh session
Agenda item 143
THE SITUATION IN BOSNIA AND
HERZEGOVINA

SECURITY COUNCIL
Forty-eighth year

Letter dated 10 January 1993 from the Permanent Representative
of Bosnia and Herzegovina to the United Nations addressed to
the Secretary-General

I want to express my deep gratitude to General Phillipe Morillon, Commander of Bosnia and Herzegovina Command, for his prompt release of information related to the death of Deputy Prime Minister Hakiya Turajlic, who was murdered by Serb and Montenegrin occupation forces while under the protection of the United Nations Protection Force (UNPROFOR) on 8 January 1993.

Nevertheless, we are extremely troubled by the fact that UNPROFOR permitted the interception of the armoured personnel carrier carrying Deputy Prime Minister Turajlic. The Deputy Prime Minister was murdered in full view of UNPROFOR forces, which had clearly acquiesced to the aggressor's demand that the vehicle be opened and that its occupants be identified. The United Nations Protection Force acted more as a submissive hostage than as a protection force, clearly failing to use any forceful and/or preventive measures to resist this unlawful interception.

The astonishing circumstances leading to Mr. Turajlic's murder while under UNPROFOR protection demonstrate plainly that, too often, the United Nations Protection Force offers neither protection nor force. UNPROFOR unfortunately labours under a constricted mandate, passive rules of engagement and inadequate political support. These factors have proven to be grossly counterproductive, permitting occupation forces to use UNPROFOR as an unwitting vehicle of aggression against the Republic of Bosnia and Herzegovina.

UNPROFOR's unwillingness or inability to carry out its mandate to use all necessary force for the purpose of delivering humanitarian aid, given in Security Council resolution 770 (1992), is perhaps the best example of the inadequate level of political support provided to UNPROFOR.

A/47/862
S/25089
English
Page 2

Whereas General Morillon reports that all sides were contacted during the two-hour negotiations for passage of the vehicle, there can be no doubt that the murder of Mr. Turajlic was supported at the highest levels of Serb extremist leadership in Belgrade and in Bosnia and Herzegovina. Considering the time permitted for negotiations, we cannot accept the theory that a single soldier is responsible for the murder.

The aggressors have taken every opportunity to exploit UNPROFOR's constricted mandate and, as we often see, negotiations simply facilitate their violent objectives.

Mr. Turajlic's interception and murder on a road controlled by UNPROFOR demonstrates the manifest necessity of correcting UNPROFOR's mandate and rules of engagement and of obtaining proper political support for its work if it is to function as a genuine protection force in Bosnia and Herzegovina. We therefore urge you to demand this from the Security Council in order to prevent further occurrences of UNPROFOR, which is under Your Excellency's command, being used as an unwitting vehicle of aggression against the Republic of Bosnia and Herzegovina.

May I ask for your kind assistance in circulating this letter as a document of the General Assembly, under agenda item 143, and of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and
Permanent Representative



General Assembly

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GENERAL

A/47/863
11 January 1993

ORIGINAL: ENGLISH

Forty-seventh session
Agenda item 19

ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS

Letter dated 8 January 1993 from the President of the
Security Council to the Secretary-General

I have the honour to request you to transmit to the resumed forty-seventh session of the General Assembly the following resolution (resolution 801 (1993)) on the admission of the Czech Republic to membership in the United Nations, adopted by the Security Council at its 3158th meeting, on 8 January 1993:

"The Security Council,

"Having examined the application of the Czech Republic for admission to the United Nations, 1/

"Recommends to the General Assembly that the Czech Republic be admitted to membership in the United Nations.

"1/ A/47/851-S/25045."

I would point out that, when adopting the aforementioned resolution, the Security Council decided to have recourse to the provisions of the last paragraph of rule 60 of its provisional rules of procedure in order to submit its recommendation to the resumed forty-seventh session of the General Assembly.

A/47/863
English
Page 2

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the forty-seventh session of the General Assembly, for its information, the verbatim records of the 3156th and 3158th meetings of the Council, at which the application of the Czech Republic was considered.

(Signed) Yoshio HATANO
President of the Security Council



General Assembly

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GENERAL

A/47/864
11 January 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-seventh session
Agenda item 19

ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS

Letter dated 8 January 1993 from the President of
the Security Council to the Secretary-General

I have the honour to request you to transmit to the resumed forty-seventh session of the General Assembly the following resolution (resolution 800 (1993)) on the admission of the Slovak Republic to membership in the United Nations, adopted by the Security Council at its 3157th meeting, on 8 January 1993:

"The Security Council,

"Having examined the application of the Slovak Republic for admission to the United Nations, 1/

"Recommends to the General Assembly that the Slovak Republic be admitted to membership in the United Nations.

"1/ A/47/852-S/25046."

I would point out that, when adopting the aforementioned resolution, the Security Council decided to have recourse to the provisions of the last paragraph of rule 60 of its provisional rules of procedure in order to submit its recommendation to the resumed forty-seventh session of the General Assembly.

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the

A/47/864

English

Page 2

forty-seventh session of the General Assembly, for its information, the verbatim records of the 3155th and 3157th meetings of the Council, at which the application of the Slovak Republic was considered.

(Signed) Yoshio HATANO
President of the
Security Council



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A/47/865
12 January 1993

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Forty-seventh session
Agenda item 19

ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS

Letter dated 8 January 1993 from the Permanent
Representative of Liechtenstein to the United
Nations addressed to the Secretary-General

With reference to the application of the Czech Republic and of the Slovak Republic for admission to membership in the United Nations under agenda item 19, I have been instructed by my Government to communicate to you the following:

The relations between the Principality of Liechtenstein and the former Czech and Slovak Federal Republic have been strained for decades. Contrary to the expectations of the Government of Liechtenstein, a normalization of the relations between the two States could not be achieved, in particular for the following reasons:

(a) The Government of the former Czech and Slovak Federal Republic continued to identify itself with the decisions taken by the Czechoslovak Government in 1945, which are in contradiction to public international law and which question the sovereignty and existence of the Principality of Liechtenstein;

(b) The Government of the former Czech and Slovak Federal Republic refused to accord to the Principality of Liechtenstein the same treatment as to other European States concerning legal issues relating to seized property. This position is also in contradiction to the declaration made in 1990 by the former Czech and Slovak Federal Republic in the framework of the Conference on Security and Cooperation in Europe (CSCE). When negotiating with the former Czech and Slovak Federal Republic, the Principality of Liechtenstein had clearly stated that it was neither demanding the restitution of nor a full compensation for seized Liechtenstein property;

(c) The Government of the former Czech and Slovak Federal Republic refused the compromise proposal made by the Government of the Principality of Liechtenstein, that is, to submit the case to the International Court of Justice or to another neutral institution and to accept as binding the decision of such a body.

At the third meeting of the Council of CSCE, held in Stockholm in December 1992, the Chairman, in connection with the consideration of agenda item 8 (Request for admission to the CSCE as participating States), made the following statement:

"It is understood that the Czech and Slovak Federal Republic, the Czech Republic and the Slovak Republic are ready to conduct negotiations in mutual interest and on the basis of international law on any bilateral issue with the Principality of Liechtenstein which one of the sides considers to be open."

The delegation of Liechtenstein made the following interpretative statement under paragraph 79 (chap. 6) of the Final Recommendations of the Helsinki Consultations:

"In connection with the adoption of agenda item 8 'Request for admission to the CSCE as participating States', it is the understanding of the delegation of the Principality of Liechtenstein that outstanding issues between the Czech and Slovak Federal Republic and the Czech Republic and the Slovak Republic do encompass nationalization of property of Liechtenstein nationals seized without compensation in the years 1945 and thereafter."

Based on the aforementioned, the Government of the Principality of Liechtenstein will therefore invite the Governments of the Czech Republic and of the Slovak Republic in the near future to open negotiations on all outstanding issues in their relations with the Principality of Liechtenstein.

I should be grateful if you would provide for the distribution of the present letter as a document of the General Assembly under agenda item 19.

(Signed) Claudia FRITSCHÉ
Ambassador
Permanent Representative



General Assembly Security Council

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GENERAL

A/47/866
S/25096
12 January 1993
ENGLISH
ORIGINAL: ENGLISH/FRENCH

GENERAL ASSEMBLY
Forty-seventh session
Agenda items 30 and 143
QUESTION OF PALESTINE
THE SITUATION IN BOSNIA AND HERZEGOVINA

SECURITY COUNCIL
Forty-eighth year

Letter dated 12 January 1993 from the Chargé d'affaires a.i.
of the Permanent Mission of Senegal to the United Nations
addressed to the Secretary-General

As the representative of the country that has the current chairmanship of the Summit of the Organization of the Islamic Conference, I have the honour to address to you herewith a copy of the Final Declaration of the Meeting of the Bureau of the Sixth Islamic Summit enlarged to the Chairmen of the Standing Committees, held in Dakar, Senegal, on 11 January 1993 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda items 30 and 143, and of the Security Council.

(Signed) Mame Balla SY
Chargé d'affaires a.i.

ANNEX

Final Declaration of the Meeting of the Bureau of the Sixth
Islamic Summit enlarged to the Chairmen of the Standing
Committees held in Dakar, Senegal

(18 Rajab 1413H, 11 January 1993)

1. At the kind invitation of His Excellency Abdou Diouf, President of the Republic of Senegal and Chairman of the Organization of the Islamic Conference, the Bureau of the Sixth Islamic Summit enlarged to the Chairmen of the Standing Committees met in Dakar, Republic of Senegal, on 18 Rajab 1413H, corresponding to 11 January 1993.
2. The Meeting was attended by the following member States of the Bureau and those chairing the Standing Committees: Republic of Indonesia, Republic of Senegal, Syrian Arab Republic, State of Palestine, State of Kuwait, Kingdom of Morocco, Islamic Republic of Pakistan, Republic of Turkey.
3. The Kingdom of Saudi Arabia, as Chairman of the Sixth Extraordinary Session of the Islamic Conference of Foreign Ministers, attended the Meeting.
4. His Excellency Alija Izetbegović, President of the Republic of Bosnia and Herzegovina, also attended the Meeting.
5. The Meeting considered the question of the banished Palestinians, the tragic situation in Bosnia and Herzegovina and the question of the destruction of the Babri Mosque.
6. The Meeting examined the odious crime committed by the Israeli Government in implementing its policy of massive banishment and by banishing over 400 Palestinian citizens from their occupied homeland, and its dangerous effects on the cause of Palestine and Al-Quds Al-Sharif. It strongly condemned the Israeli Government's decision to banish Palestinian citizens from their homeland and considered it as a flagrant violation of the principles of human rights and all international conventions and agreements, and in particular the Fourth Geneva Convention of 1949, as well as a violation of the sovereignty of Lebanon and the unity and security of its territories and a threat to the international peace and security and the continuation of the Middle East peace talks.
7. In this context, it strongly condemned Israel for having announced its refusal to implement Security Council resolution 799 (1992), thus violating Article 26 of the Charter of the United Nations, a fact which demands the application on Israel of Chapter VII of the Charter for having refused to implement this resolution as well as other international resolutions.
8. It underlined that the Israeli Government bears exclusive and direct responsibility for the tragic living conditions endured by those banished and

that it must be forced to allow international and humanitarian organizations to channel the necessary medical and food supplies to them until their return.

9. It considered that the serious escalation of Israeli inhuman aggression against the Palestinian people in the occupied Palestinian territories makes it incumbent upon the international community to provide the necessary means of pressure to force Israel to bring back all those Palestinians and to put an end to its oppressive practices against the Palestinian citizens in the occupied Palestinian territories. The international community should also adopt the necessary measures to provide appropriate protection to the Palestinian people in the occupied territories and to place the latter under interim international supervision pursuant to international resolutions, in particular Security Council resolutions 605 (1987), 607 (1988), 681 (1990) and 726 (1992).

10. It hailed the blessed Palestinian intifadah in the occupied Palestinian territories and expressed its full solidarity and support to the Palestinian people in their legitimate struggle for the recovery of their inalienable national rights, and reiterated that the issue of Al-Quds Al-Sharif and Palestine constitute the central and foremost issue of the Islamic Ummah, and the core of the Arab-Israeli conflict, and that a comprehensive and just peace in the Middle East can only be achieved through the complete Israeli withdrawal from all occupied Palestinian and Arab territories, including Al-Quds Al-Sharif, the Syrian Golan, South Lebanon and the Jordanian territories and through enabling Palestinian people to exercise their inalienable and imprescriptible national rights, including their right to return, to self-determination and to the establishment of their own independent Palestine State with its capital Al-Quds Al-Sharif, under the leadership of their sole legitimate representative, the Palestine Liberation Organization.

11. It expressed its concurrence with and support to the efforts under way for achieving a comprehensive and equitable solution to the issue of Palestine and the Arab-Israeli conflict, in accordance with the international resolutions and in particular Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), and the formula of land for peace and the national political rights of the Palestinian people and the settlement of the issue of the Palestinian refugees pursuant to the United Nations resolutions and in particular General Assembly resolution 194 and Security Council resolution 237 (1967).

12. It reiterated that the city of Al-Quds Al-Sharif forms an integral part of the Palestinian territories occupied in 1967 and that it is subject to all that is applicable to these territories, in accordance with international resolutions and that it cannot in any way be excluded from the current peace talks.

13. It reaffirmed that that all measures and arrangements taken by Israel to annex the city of Al-Quds Al-Sharif and the Syrian Golan and to impose Israeli law there are null and void, in accordance with Security Council resolutions 465 (1980), 478 (1980) and 497 (1981).

14. It considered all the Israeli settlements established in the occupied Palestinian and Arab territories as illegal and contrary to international resolutions, notably Security Council resolution 465 (1980), and that necessary international guarantees should be provided to ensure their removal. It called upon the international community to exercise necessary pressure to force Israel to discontinue settlements in the occupied Arab and Palestinian territories, including Al-Quds Al-Sharif, and considered that the establishment and expansion of settlements and the settlement of Jewish immigrants there constitutes a major obstacle in the way of the achievement of peace.

15. It expressed its appreciation for all States, people, international and regional organizations, as well as the Vatican, which have condemned the mass banishment policy practised by Israel against the Palestinian people and requested them to continue to extend all forms of support to the just struggle of the Palestinian people.

16. It mandated His Excellency Abdou Diouf, President of the Republic of Senegal and Chairman of the Sixth Islamic Summit Conference, to undertake contacts at the highest level with the member States of the Security Council, the United Nations Secretary-General and the Chairman of the European Community so that the Security Council may ensure without any delay the implementation of its resolution 799 (1992) guaranteeing the immediate and safe return of the banished Palestinians to their homes, and the imposition of mandatory and comprehensive sanctions in accordance with the provisions of Chapter VII of the Charter of the United Nations.

17. The Meeting strongly condemned the continuing Serbian aggression against the Republic of Bosnia and Herzegovina and the genocidal campaign of ethnic cleansing being perpetrated against the Muslims. It held the Serb leadership both in Belgrade and its local accomplices in Bosnia and Herzegovina fully responsible and accountable for the mass killings, torture, rape and other war crimes and crimes against humanity brutally committed against the defenseless Muslims and Croats in Bosnia and Herzegovina.

18. It reaffirmed the provisions of resolution 1/5-EX and 1/6-EX, adopted by the fifth and sixth extraordinary sessions of the Islamic Conference of Foreign Ministers, held at Istanbul and Jeddah, respectively, and expressed its full support and solidarity with the Government and people of Bosnia and Herzegovina in their just struggle for safeguarding the sovereignty, independence and territorial integrity of their country.

19. It also recalled all the relevant United Nations Security Council and General Assembly resolutions, as well as the London provisions, pertaining to Bosnia and Herzegovina and former Yugoslavia and emphasized the urgent need for their immediate and full implementation.

20. It strongly condemned the cold-blooded murder by the Serb para-military forces of the Deputy Prime Minister of Bosnia and Herzegovina, while under UNPROFOR protection, which further aggravates the serious situation in

Sarajevo, and considered this crime as a grave affront to the United Nations and a further example of the Serb defiance of the will of the international community.

21. It expressed its deep concern over the fact that the political process instituted under the aegis of the International Conference on former Yugoslavia has had no serious impact on the situation in Bosnia and Herzegovina, which has become unbearable and that the Serbs have attempted to utilize this process to gain legitimacy for their territorial acquisitions and to prevent the Security Council from authorizing the use of force to secure the implementation of its relevant resolutions. It emphasized that the Security Council, which has the primary responsibility for the maintenance of international peace and security, should be enabled to assume fully its responsibility towards the safeguarding of the sovereignty, independence and territorial integrity of the Republic of Bosnia and Herzegovina against Serbian aggression.

22. It fully shared the concerns of the Bosnian Government regarding the map presented during the Geneva talks and strongly believed that the map in question, which divides Bosnia and Herzegovina into zones based on the "de facto" situation on the ground, should be re-drawn without taking into consideration the policy of "ethnic cleansing".

23. It condemned the Serbian refusal to place its heavy weaponry under effective international control and the continuous use of it against innocent people and demanded that the Serbs should be notified to place the heavy weaponry in their possession under the effective international control as decided by the London Conference. If international control cannot be established, then the heavy weaponry should be silenced by military means and further military action against strategic targets should be considered. It expressed its support to the Bosnian Government's stance on the establishment of an effective international control of heavy weapons in Bosnia and Herzegovina, as agreed at the London Conference, and welcomed and appreciated the Bosnian Government's readiness to comply with it.

24. In view of the continuing intransigence of the Serbian aggressor, the Meeting called for the enforcement of the no-fly zone over Bosnia and Herzegovina.

25. It also stressed the need for the perpetrators of the crimes committed against humanity to be determined and tried. It called for immediate establishment of an international tribunal for war crimes being committed in Bosnia and Herzegovina and former Yugoslavia. In this respect it underlined the need for urgent steps to be taken to secure an advisory opinion from the International Court of Justice as to whether the crimes committed in Bosnia and Herzegovina come within the scope of the Convention on the Prevention and Punishment of the Crime of Genocide.

26. It emphasized the need to increase significantly the humanitarian and financial assistance to the Bosnian people as harsh winter conditions make such assistance all the more necessary.

27. It mandated Mr. Abdou Diouf, President of the Republic of Senegal and Chairman of the Sixth Islamic Summit Conference, to undertake contacts at the highest level with the member States of the Security Council, the United Nations Secretary-General, the Chairman of the European Community and the Chairman of the Conference on Security and Cooperation in Europe in order to stress the need for taking urgent measures to implement the resolutions of the Security Council on Bosnia and Herzegovina, as well as the resolution of the Sixth Extraordinary Session of the Islamic Conference of Foreign Ministers, notably by authorizing action under Article 42 of the Charter of the United Nations and to exempt the Government of Bosnia and Herzegovina from the provisions of Security Council resolution 713 (1991) relating to the arms embargo imposed against former Yugoslavia, so as to enable the Republic of Bosnia and Herzegovina to exercise effectively its legitimate right to individual and collective self-defence in accordance with Article 51 of the Charter of the United Nations.

28. It instructed the Contact Group of the Organization of the Islamic Conference at the United Nations to seek an evaluation by the Security Council of the implementation of its resolutions concerning Bosnia and Herzegovina in accordance with resolution 1/6-EX adopted by the Sixth Extraordinary Session of the Islamic Conference of Foreign Ministers and resolution 47/121 adopted by the United Nations General Assembly, bearing in mind that the aforementioned resolutions call for such an evaluation by 15 January 1993 and for consideration of further measures to oblige the Serbians to comply fully with the relevant resolutions of the Security Council and the decisions of the London Conference.

29. It recommended that President Abdou Diouf, the current Chairman of the Islamic Summit, undertake consultations for the convention of an extraordinary session of the Islamic Summit.

30. The Meeting strongly condemned the destruction by Hindu militants of the Babri Mosque in India, which was an ancient Islamic place of worship. It also regretted the loss of thousands of human lives.

31. It recalled the provisions of the Declaration on Joint Islamic Action to Combat Blasphemy Against Islam adopted by the 18th Islamic Conference of Foreign Ministers and called upon the Islamic countries individually and collectively to exert effective and coordinated efforts to ensure respect for Islam and its noble values throughout the world and to protect and safeguard the Islamic Muqaddesat (the Sacred Book, personalities and places).

32. After having noted with interest the announcement by the Indian Government of its commitment to rebuild the Babri Mosque, the Islamic world has been surprised by the authorization given immediately after this announcement to the Hindu fundamentalists to perform their religious rites on the site of the Mosque that they destroyed. Reflecting the resentment of the Muslims, the Meeting called upon the Government of India to honour its pledge to rebuild the Mosque without further delay on its original site. It further urged the Government of India to take effective measures to protect the human

rights of the Muslims of India, particularly their religious and cultural rights as well as their Mosques and holy places.

33. At the end of their deliberations the participants expressed their profound thanks and appreciation to President Abdou Diouf and to the Government and people of the Republic of Senegal for the warm and fraternal welcome and generous hospitality extended to them.

34. President Abdou Diouf expressed his deep gratitude to the participants for the true spirit of understanding and cooperation which they demonstrated during the deliberations and which contributed immensely to the success of the Meeting.



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SECURITY COUNCIL
Forty-eighth year

Letter dated 13 January 1993 from the Permanent Representative
of Venezuela to the United Nations addressed to the
Secretary-General

I have the honour to address you in order to transmit to you herewith a copy of press release No. 1/93 of 8 January 1993, issued by the Inter-American Commission on Human Rights of the Organization of American States (see annex).

The press release in question serves to illustrate in particular the conditions prevailing in Haiti and the urgent need facing the international community to join efforts to restore democracy in that country and ensure full observance of the human rights of its population.

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda items 22 and 97 (c), and of the Security Council.

(Signed) Diego ARRIA
Permanent Representative

ANNEX

Press release No. 1/93 of 8 January 1993 issued by the
Inter-American Commission on Human Rights of the
Organization of American States

For more than three months, the Inter-American Commission on Human Rights (IACHR) has repeatedly requested the consent of the de facto Government of Haiti in order to visit that country and be able to verify in situ the numerous reports that have been received of human rights violations attributed to repressive actions by the armed forces, the police and auxiliary civilian groups operating under their orders. IACHR informed the Government of its intention to make two visits: an initial fact-finding visit, which was to be carried out from 13 to 15 December 1992 and a visit in loco, which was to be made from 11 to 15 January 1993. The de facto Government has still not given the necessary consent. On the contrary, on 8 December, the Commission received a communication from the Ministry of Foreign Affairs of Haiti informing it that the date for carrying out the visits would be communicated in the next few days; however, it was not until a month later that the de facto authorities replied that "the visit by the Inter-American Commission on Human Rights does not seem necessary to the Haitian Government".

Reports submitted by the victims themselves and information from reliable sources indicate that numerous persons have been summarily executed, illegally arrested, maltreated and tortured by members of the armed forces and the police. In most cases, the victims have been supporters of deposed President Jean-Bertrand Aristide and other cases involve people that are merely suspected of supporting him. Demonstrations and meetings have been violently suppressed; and journalists have not been permitted to make the facts known. Many of the victims of such violations are leaders or members of people's and human rights organizations, students, journalists, shopkeepers, farmers and members of the Catholic Church.

In rural areas, the repression and violence have been aggravated by the reappearance of the "Section Chiefs", who operate with the acquiescence of the military and in complete impunity. Both in the country's capital as well as in the provinces, the population is the victim of corruption on the part of the de facto authorities as well as extortion carried out against civilians by the military, who require them to pay sums of money in order to avoid being arrested or maltreated or simply to improve the conditions in which they live in the detention centres and sometimes even to obtain their freedom.

The climate of fear and insecurity in the country has caused a situation in which a large part of the population, particularly those who support the return of President Aristide, is seeking refuge in the interior of the country, thus being forced to abandon their homes and go into permanent hiding. This situation has also forced a large number of Haitians to flee the country in unsafe vessels in order to request asylum in the United States.

The practice of "preventive repression" carried out against the civilian population and the deterioration of the political situation have caused continued violations of individual guarantees, such as the right to life, physical safety, individual freedom, freedom of opinion and expression and freedom of assembly and association; all these guarantees are protected by the American Convention on Human Rights, to which the Republic of Haiti is a State party.

The Commission should point out that, regardless of the political situation in a State party, the American Convention on Human Rights continues to be in force. Accordingly, the Commission stresses that those exercising power in a State, albeit *de facto* power, are obliged to respect the individual human rights recognized by the American Convention on Human Rights.

The Special Meeting of Ministers of Foreign Affairs adopted on 13 December 1992 a resolution entitled "Restoration of democracy in Haiti" (MRE/RES.4/92), which decided to "mandate the Chairman of the Special Meeting of Ministers of Foreign Affairs and the Secretary-General of the Organization of American States to cooperate in implementing the measures taken by the Chairman of the Inter-American Commission on Human Rights, taking into account the grave and persistent violations of human rights in Haiti and, in view of the refusal by the current, *de facto* authorities, in order to enable the Commission to carry out a visit *in loco* as soon as possible".

The Inter-American Commission on Human Rights remains firmly determined to go to Haiti in order to investigate in the field the grave violations reported and, in view of the refusal by the *de facto* Government to cooperate with the Commission, reiterates its appeal to all non-governmental human rights organizations, particularly those operating in Haiti, as well as the victims and their relatives and, in general, all those who, because of the political crisis, have suffered any violations of their individual guarantees, to transmit their reports to IACHR.

The Inter-American Commission on Human Rights calls upon the *de facto* Government and, particularly, the armed forces to halt their systematic violations of human rights, of which the Haitian population is the victim.

Washington, D.C., 8 January 1993
